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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,121	10/27/2003	Graham B. McCloy	SCH-00026-COA	6102
7590 04/04/2006 Warn, Burgess & Hoffmann, P.C. P.O. Box 70098 Rochester Hills, MI 48307			EXAMINER SEMBER, THOMAS M	
			ART UNIT 2875	PAPER NUMBER

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

**Office Action Summary****Application No.**

10/695,121

**Applicant(s)**

MCCLOY ET AL.

**Examiner**

Thomas M. Sember

**Art Unit**

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03/24/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15, 17-22, 24, 25, 27-32 and 34-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17-22, 24, 25, 27-32 and 34-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Applicant's arguments, filed 03/24/05 with respect to have been fully considered and are persuasive. The rejection in view of Pastrick '654 and claim objections have been has been withdrawn.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-22, 25-32 and 35-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Henion et al '465 or '192 (particularly figures 21-24) discloses a mirror housing 250 having an upper wall portion, a lower wall portion. a forwardly facing wall portion, an inner wall portion and an outer wall portion; adapted to be secured to an outer surface of a motor vehicle and having a generally rearwardly facing opening. A reflective element is disposed within the opening. A modular bezel 252 is connected to a lower traverse surface of the housing, the modular bezel having an opening for projecting light and a holder 150 positioned in the modular bezel. A light transmitting lens (262 and 264) formed in the modular bezel 252. A modular bezel formed as a separate element and attached to said lower wall portion wherein said modular bezel is positioned entirely below said reflective element. The modular bezel having a light source assembly 272 located and connected to the holder (see column 9, lines 24-26)

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inside the modular bezel 252 having a light source 272 connectable to the light source assembly wherein the light source generates light. The light source assembly generating light projected through the opening in the modular bezel. The light source assembly being operable to provide a light signal visible through the light transmitting lens. The opening in the bezel 252 projects rearwardly. The light source 272 generates light to provide at least one of a turn signal light, an approach light, and a vehicle side marker light. The light source assembly 138 has a reflective inner surface being shaped to direct a maximum amount of light emitted from the light source 272 to the lens (262 and 264). The lens (262 and 264) is operative to direct light through an arc extending at least 40 degrees. The light source is operable to provide a signal visible through the light transmitting lens 154 to a rearward motor vehicle when activated. The light source 272 generates light to provide a vehicle approach light and wherein the lens of one of red, amber, and white. The light source 272 generates light to provide a vehicle side marker light and wherein the lens is one of red, amber, and white.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-15, 17-22, 24-25, 27-32 and 34-40 have been considered but are moot in view of the somewhat new ground(s) of rejection.

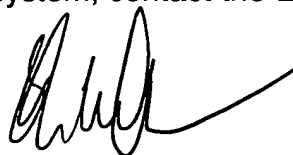
**Conclusion**

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Henion '189, Armbruster and Miller '109 and '689 teach illuminated mirror assemblies which are similar to applicant's invention..

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M. Sember whose telephone number is 571-272-2381. The examiner can normally be reached on M-F 8 A.M- 5.30 p.m. first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 703-571-2878. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thomas M Sember  
Primary Examiner  
Art Unit 2875